

TTAB

CERTIFICATE OF MAILING

I hereby certify that this correspondence is addressed to: TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, and is being deposited with the United States Postal Service with sufficient postage as first class mail on January 22, 2004.

Eric M. Enlar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THE VERMONT TEDDY BEAR
COMPANY, INC.,

Opposer,

v.

BUILD-A-BEAR WORKSHOP, INC.,

Applicant.

Opposition No. 115,198

01-26-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #78

STIPULATED MOTION TO EXTEND DISCOVERY AND TRIAL DATES

COMES NOW Applicant Build-A-Bear Workshop, Inc. ("Applicant"), with consent of Opposer, The Vermont Teddy Bear Company, Inc. ("Opposer"), and hereby moves for a one hundred and twenty (120) day extension of all discovery and trial dates in the above-referenced matter as follows:

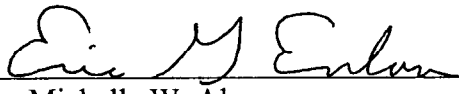
	<u>Present Date</u>	<u>New Date</u>
THE PERIOD FOR DISCOVERY TO CLOSE	January 31, 2004	May 30, 2004
Testimony period for party in position of plaintiff to close (opening 30 days prior thereto)	April 30, 2004	August 28, 2004
Testimony period for party in position of defendant to close (opening 30 days prior thereto)	June 29, 2004	October 27, 2004

15-day rebuttal testimony period to close: August 13, 2004 December 11, 2004

This motion is not presented for the purpose of delay or any other improper purpose but by the mutual consent of both parties to enable them to complete discovery and adequately present the issues to the Board. The Opposer through its attorney Jay Spiegel consented to this extension of time via telephone conference with Eric Enlow.

Thus, the parties respectfully request that the periods be reset as indicated above. This request is filed in triplicate.

Respectfully submitted,

By: 
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the above was served upon H. Jay Spiegel & Associates, P.O. Box 11, Mount Vernon, Virginia 22121 by first class mail on this 22nd day of January 2004.

